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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: FACEBOOK, INC. CONSUMER  
PRIVACY USER PROFILE LITIGATION,

This document relates to:  
  
ALL ACTIONS

CASE NO. 3:18-MD-02843-VC

**DECLARATION OF ALEXANDER P.  
SWANSON IN SUPPORT OF FACEBOOK,  
INC.'S STATEMENT IN SUPPORT OF  
ADMINISTRATIVE MOTIONS TO FILE  
UNDER SEAL**

1 I, Alexander P. Swanson, hereby declare as follows:

2 1. I am an associate at the law firm of Gibson, Dunn & Crutcher LLP, counsel of record  
3 for Facebook, Inc. (“Facebook”) in the above-captioned matter. I am a member in good standing of  
4 the State Bar of California. I submit this declaration in support of Facebook’s Statement In Support  
5 Of Administrative Motions To File Under Seal and Motion To Consider Whether Another Party’s  
6 Material Should Be Sealed. I make this declaration on my own knowledge, and I would testify to the  
7 matters stated herein under oath if called upon to do so.

8 2. Attached as **Exhibits A, B, and C** is a true and correct **redacted** version of the  
9 Appellate Record For Facebook’s Appeal Of Special Master Garrie’s Amended Order Re: Plaintiffs’  
10 Motion To Compel Production Of Plaintiff Data (the “Appellate Record”). Exhibit A contains pages  
11 0001–3424 of the Appellate Record, Exhibit B contains pages 3425–4056 of the Appellate Record,  
12 and Exhibit C contains pages 4057–4483 of the Appellate Record.

13 3. Attached as **Exhibit D** is a true and correct **unredacted** version of the Appellate  
14 Record.

15 4. A true and correct **redacted** version of the Special Master’s December 29, 2021  
16 Amended Order Re: Plaintiffs’ Motion To Compel Production Of Plaintiff Data (the “Amended  
17 Order”) is attached as Exhibit A to my January 6, 2022 Declaration In Support Of Facebook’s  
18 Administrative Motion To File Under Seal Special Master’s Amended Order Re: Plaintiffs’ Motion  
19 To Compel Production Of Plaintiff Data (Dkt. 792-3).

20 5. A true and correct **unredacted** version of the Amended Order is attached as Exhibit B  
21 to my January 6, 2022 Declaration In Support Of Facebook’s Administrative Motion To File Under  
22 Seal Special Master’s Amended Order Re: Plaintiffs’ Motion To Compel Production Of Plaintiff  
23 Data (Dkt. 792-4).

24 6. Within the Appellate Record, Facebook proposes redactions over the same material  
25 that is redacted on the public docket.

26 a. Plaintiffs’ Opposition To Facebook’s Request To Enforce The Partial Stay Of  
27 Discovery, as filed within the Appellate Record at pages 0212–31, 2905–25, 3704–23,  
28 contains the same redactions that exist on the public docket. *See* Dkt. 530-7.

b. Plaintiffs' Response In Reply To Facebook's Request To Enforce The Partial Stay Of Discovery, as filed within the Appellate Record at pages 0133–46 and 2942–51, contains the same redactions that exist on the public record. *See* Dkt. 661.

c. Facebook proposes to seal entirely a copy of a document leaked in violation of the protective order in *Six4Three LLC v. Facebook, Inc.*, No. CIV533328 (San Mateo Cnty. Sup. Ct.), as filed in the Appellate Record at pages 0276–81, 3768–73, 4433–38, just as it is sealed entirely from the public docket. *See* Dkt. 526-3.

d. Facebook proposes to seal entirely a copy of the document produced at FB-CA-MDL-00213424, as filed in the Appellate Record at pages 0365–80, 3574–89, 4343–58, and 4402–17, just as it is sealed entirely from the public docket. *See* Dkt. 526-2.

e. Facebook proposes to seal entirely a copy of the document produced at FB-CA-MDL-01191149, as filed in the Appellate Record at pages 426–38, just as it is sealed entirely from the public docket. *See* Dkt. 526-4.

f. Finally, Facebook's Second Amended Responses And Objections To Plaintiffs' Fourth Set Of Interrogatories, as filed in the Appellate Record at pages 3127–35, 3866–74, contain the same redactions as ex on the public record. *See* Dkt. 769-3).

7. Facebook proposes to seal entirely seven tables within the Appellate Record that contain confidential and highly sensitive information. Appellate Record at 440–2613, 2615–18, 3136–3317, 3323–3424, 3875–4056, 4161–72, 4178–4262. These tables contain specific granular level information such as Facebook user IDs, app names and their associated app IDs, and technical information regarding Facebook's APIs.

a. I am informed and believe that, if publicly disclosed, Facebook user IDs could be used by bad actors to attempt to compromise the associated Facebook accounts, harming both Facebook and the associated users.

b. I am informed and believe that the specific granular level information contained within the tables contains highly confidential information about the types of data transferred through certain API calls, as well as how Facebook stores and processes this data,

1 which competitors could use to construct or improve their own data management and storage  
2 systems.

3 c. I am informed and believe that public disclosure of the specific permissions  
4 granted to specific apps at particular times would reveal terms of Facebook's confidential  
5 business relationships with app developers, which if publicly disclosed would compromise  
6 Facebook's business relationships with these developers as well as competitors of these  
7 developers.

8 8. Facebook proposes to seal limited portions of the Appellate Record and Amended  
9 Order that contain confidential information regarding Facebook's data collection and storage  
10 practices and technical capabilities. The proposed redactions consist of information regarding the  
11 functions and properties of Facebook's propriety and confidential data storage systems; technical  
12 details about Facebook's APIs; and the technical operations of certain APIs. I am informed and  
13 believe that information about Facebook's data systems and the inner workings of its APIs are key  
14 components of its business that set it apart and ahead of its competitors, and if publicly disclosed,  
15 competitors could use this information to improve their own methods for managing high volumes of  
16 data from interactions with large numbers of third parties. Additionally, I am informed and believe  
17 that bad actors could use this information to better understand Facebook's data systems and target  
18 specific repositories of data, potentially harming Facebook and its users.

19 9. Facebook proposes to seal limited portions of the Appellate Record that convey the  
20 confidential information regarding the identities of Facebook's business partners and the terms of  
21 Facebook's business relationships. I am informed and believe that, if publicly disclosed, this  
22 information could harm Facebook's relationships with these partners and undercut Facebook's ability  
23 to negotiate with competitors of these partners.

24 10. Facebook proposes to seal limited portions of the Appellate Record that contain  
25 confidential technical details of how Facebook develops and uses data to target advertisements to the  
26 most relevant users. Facebook's ability to serve advertisements to its users effectively is an essential  
27 aspect of its business. I am informed and believe that, if publicly disclosed, this information could  
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1 allow Facebook's competitors to improve their serve of advertisements to Facebook's competitive  
2 disadvantage.

3 11. Facebook proposes to seal limited portions of the Appellate Record that contain  
4 confidential information regarding Facebook's business programs and strategies. This information  
5 includes presentations to Facebook's board of directors regarding a confidential business program,  
6 confidential documents describing products for targeting advertisements, confidential information  
7 regarding Facebook's facial recognition techniques, confidential information regarding the technical  
8 operation of Facebook's News Feed, and confidential strategic communications discussing  
9 Facebook's potential future business models. I am informed and believe that public disclosure of  
10 confidential information regarding Facebook's business products could allow Facebook's competitors  
11 to use this information developed at Facebook's expense to improve or develop their own competing  
12 techniques, to Facebook's competitive disadvantage. I am informed and believe that public  
13 disclosure of confidential communications regarding Facebook's business strategy could allow  
14 Facebook's competitors to copy these proposed business strategies, developed at Facebook's expense,  
15 to more effectively compete with Facebook.

16 12. Facebook proposes to seal limited portions of the Appellate Record that contain  
17 confidential information regarding Facebook's privacy and platform policy enforcement practices. I  
18 am informed and believe that public disclosure of details regarding Facebook's policy-enforcement  
19 efforts would reveal confidential information regarding Facebook's internal business operations that  
20 could be used by bad actors to attempt to circumvent and evade Facebook's enforcement strategies,  
21 potentially harming Facebook and its users.

22  
23 I declare under penalty of perjury under the laws of the United States of America that the  
24 foregoing is true and correct. Executed on January 18, 2022 in Los Angeles, California.

25  
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27 Alexander P. Swanson  
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